

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

-against-

Docket Number: S3 05 Cr. 621 (RJS)

ALBERTO VILAR, et.al.,
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**MOTION OF DEFENSE COUNSEL JANE FISHER-BYRIALSEN TO
WITHDRAW AS COUNSEL FOR GARY TANAKA**

I, Jane Fisher-Byrialsen, hereby move this Court for an order granting permission to withdraw as counsel for Gary Tanaka in this matter. The reasons for this request set forth in the attached affirmation.

Dated: November 15, 2013
New York, New York

Jane Fisher-Byrialsen, Esq.
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UNITED STATES DISTRICT COURT
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AFFIRMATION

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1. On September 27, 2013, I was appointed to represent Gary Alan Tanaka pursuant to Criminal Justice Act.

2. Rule 1.16(4) of the Model Rules of Conduct provides that a lawyer may withdraw from representing a client if “the client insists upon taking action that the lawyer considers repugnant or with which the lawyer has a fundamental disagreement.”

3. Mr. Tanaka and I have a fundamental disagreement concerning certain matters involving this case and my representation of him, and thereby the attorney client relationship has broken down.

4. This application is made after consultation with an expert in ethics and professional conduct and responsibility.

Dated: November 15, 2013
New York, New York

_____/s/_____
Jane Fisher-Byrialsen, Esq.
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